

# Okanogon County Planning Commission Public Hearing

Draft Comprehensive Plan

Nov. 29th, 2021, 6PM

## **Officials in attendance:**

Pete Palmer, Planning Director **(PP)**

Morgan Allen, Executive Secretary, Planning Commission **(MA)**

Rocky Robbins, County Planner

Absent: Albert Roberts, PC Chair, District 1 Rep

Phil Dart - PC Acting Chair, District 3 Rep **(PD)**

Salley Bull - District 3 Rep **(SB)**

George Thornton - At-Large Rep **(GT)**

Verlene Hughes - District 1 Rep **(VH)**

Dave Schulz - District 2 Rep. **(DS)**

(Note: District 2 vacant position in the process of being filled.)

## **Listening or testifying:** *(Note: It was not possible to keep track of those attending virtually)*

Harry Burkholder - Member of Public

Susan Crampton - Member of Public

Connie Iten - Department of Wildlife

Jim Gregg - Mazama Advisory Committee

One person representing Yakama Tribe *(could not hear.)*

Isabelle Spohn - Member of Public

Dick Ewing - Okanogon County Farm Bureau

Marcy Stamper - Press

Melanie Rowland - Member of Public

Shona - Member of Public

Andrea Safko John - Member of Public

Tony - Member of Public

Claire bunny - Member of Public

Lorah Super - Methow Valley Citizens' Council/Futurewise

*These notes were taken by a County Watch volunteer. Notes are verbatim when possible, and otherwise summarized. Note taker comments or clarifications are in italics. These notes are published at <https://countywatch.org> and are not the official county record of the meeting. Officially approved minutes of the Planning Commission, are normally published on the Okanogon County Planning website at [https://okanogancounty.org/departments/planning\\_commission\\_.php](https://okanogancounty.org/departments/planning_commission_.php). However, there are no minutes available there at this time. The county does keep a record of Planning Commission meetings on AV Capture videos at [https://okanogancounty.org/departments/boards/live\\_streaming\\_of\\_meeting-.s.php](https://okanogancounty.org/departments/boards/live_streaming_of_meeting-.s.php). **Time stamps below indicate the correct locations on the AV Capture video for this date.***

**Summary:** *Planning Director Palmer reverses directive to Planning Commission, stating that they may make changes to Comp Plan after all in consideration of public testimony. However, she states that they then would need to start from scratch going through the public process and would be in violation of a court stipulation that requires completion by 12/31/2021. Commissioners expect approval of Comp Plan by PC tonight. Six members of the public testify on Comp Plan. PC approves the plan 5 - 1 with no changes, with District 2 rep Dave Schulz opposing. Written testimony on Comp Plan is closed, despite Legal Notice inconsistency. Written comment on DEIS for Comp Plan is due 12/10/2021.*

**Phil Dart calls hearing to order (6:30 PM)**

Approval of agenda - Approved. Minutes, 10/25/21 - Approved.

**PD:** Tonight we are here to hear public comment on the comprehensive plan. Pete?

**HISTORY, CLARIFICATION, QUESTIONS REGARDING TIMELINE**

**0:05:59 Director Palmer - Background, changes**

Yeah, I just wanted to reiterate a couple of things before we get started. So the PC had suggested some changes to the draft during October workshop. Wanted to let you know that those changes were shared with the contract attorneys and were incorporated into the document circulated for public review. The current draft of the Comp Plan reflects the input from the Planning Commission both recently during the October, and from several years past basically when the original draft was issued. So right now, you know you guys can still make changes or recommendations to the draft plan as you see fit, including responses to the comments from the public. If you do recommend further changes to the draft plan, such changes may require additional public process, that could delay the proposed timeline under the stipulation order, which we were stipulated by the courts to have it adopted by the 31st of December. So that's kind of where we're at and I just kind of wanted to reiterate that, cause it seemed like there was a bit of kind of confusion after the workshop the last time.

**0:07:25 PD** - Appreciate that.

**DS** - We have a December hearing, the Commissioners do. Do we send this back to the Commissioners tonight?

**PP** - So I'm hoping that the Planning Commission will make a recommendation and transfer the record to the Board of County Commissioners for their public meeting on (Dec.) 29th.

**DS** - But can you still, can the public still put in written testimony?

**0:08:04** - PP - So following tonight, the Planning Commission will close written testimony tonight during the hearing. You can also close verbal testimony on the Comprehensive Plan, that's up to you.

DS - But that's just for the Planning Commission?

PP That's just for the Comprehensive Plan. The DEIS comment period does not end until December 10th.

DS - Thank you for clarifying that.

PP - And we do not hold a public hearing on that. It will just be finalized once you guys meet and go over the comments.

## **PUBLIC TESTIMONY**

(Debate over how long testimonies would be - 3 or 5 minutes.)

**0:12:01 - Harry Burkholder** - Has been property-land owner since 1978. I've lived in the Pine Forest subdivision in Methow Valley. I making presentation because I made comments to the preliminary draft that were not adopted. I have no idea why. So I am trying again. Would really appreciated if someone would tell me, if you don't like my comments, why you don't - so I can learn where you are all coming from.

Here to only talk about 1 part of my comments. Only talking about the second item you have. Doing this because comments on the draft plan were not addressed.

Quoting from WACS - that directs cities and counties as to how to determine Forest Resource Lands. Primarily on physical and geographic characteristics. Qualifying lands must be evaluated. Landowner' intent to use for forestry or cease to use is not the determining factor. Counties and cities should use private (???) Considering productivity, soil etc.

Wants to note that DNR has done this for every section in Ok County . (Accessibility at internet address.) Says Forest Land of long-term significance will usually be predominant. Secondary benefits. May be included - for example, aquifer recharge. Reads criteria. - including proximity to urban areas and settlements. Forest lands of long-term significance are located outside of urban and suburbs settlements. Makes it unlawful to chose any area near these settlements. Conflicts with the maps.

He believes the designations in his area (Hummingbird development?) are unlawful. Talks about history of land permits nearby.

When I put this all together, the list of criteria #1-9 that fit the content here of the direction that comes from the coast, all you need to do is compare it with list on p. 43 of the Comprehensive Plan. Biggest concern is that Comp Plan gives basically criterion of the tax classification. That's an inaccurate way to consider it. You could qualify with only 5 acres. ....the way the Plan has it is inconsistent with the Code.

**PD - Your time is way past.**

HB - I believe the plans need to be changed according to the way I've listed them. The way they are in the plan is inconsistent with the code.

**0:25:55 Jim Gregg:** Wants to be sure the Methow Valley Sub Unit A plans (Mazama Advisory Committee) are continued throughout the process until there is a revision. It will be updated, and they will immediately revise it to comply with a new Comp Plan - and we don't want to lose the effectiveness of that plan. Submitted informal comments and would like to also comment on the DEIS.

**0:33:44 - Dick Ewing:** Okanogan County Farm Bureau sent in comments. We would support Alternative 2 more than other options ,even though we'd like Alternative 1.

**0:35:25 - Isabelle Spohn:** Is limit 3 minutes or 5 minutes? **PD** - We've been pretty generous.

**IS:** You were clearly heard on the county recordings stating that the Planning Commission could not make any changes to the Draft Comp Plan tonight as a result of public comments. It seems that has been changed. Am I right?

PP - Silence.

PD - Yes.

**IS:** Legal Notice of Nov. 10th in MV News states the deadline for comments on the DEIS **and** the Comp Plan will be December 10th. I question any decision made today to close written comments today.

The Methow Valley MCPA has served the Upper Methow well, but it's 45 years overdue for appointment of new Advisory Committee members. But instead of referring to the appointment of a new committee, this revision states that the County will, at the discretion of the Board of County Commissioners, revise and update the More Completely Planned Area (MCPA) plans. This wasn't the intent of either the planning commission nor the public, as far as I can tell. I echo Jim Gregg's concern and request that the current Methow Valley Plan be retained until a new revision is written with a committee.

The draft prevents Commissioners from appointing non-property owners from serving on such Advisory Committees - though Commissioners and County Planning Commission members themselves are only required to "reside" within districts they represent.\_This wording

defeats the very purpose of creating Sub Areas. Would landowners who haven't ever lived here know the land and appreciate local values? Residents who wouldn't qualify to join such committees would include retirees having passed land off to offspring, young folks returning with new skills but little money, and handicapped individuals requiring apartment settings. In the north county, Canadian landowners would gain precedence over residents not owning their homes.

Draft ignores an excellent suggestion made by Director Palmer after 100+ comments from the Methow advocated for further environmental protections. She recommended they be recognized in a revised Methow Valley MCPA, with other areas of the County free to create their own Sub Areas and regulations. There's no mention or support here for this very logical possibility.

Asks will it be another 45 years until the Methow Valley MCPA has its own advisory committee and updated plan? Suggests a requirement that the Methow Valley Advisory committee hold its first meeting no later than 60 days after Comp Plan approval.

Regarding fire, limited information on escape routes during wildfire puts the Methow Valley at risk. If both Highway 20 and 153 are closed by fire, additional escape routes would be crucial. Coordinated escape plans would normally be contained in a Community Wildfire Protection Plan or Multi Hazard Mitigation Plan. But in our county, these plans are out-dated and not incorporated into this Comp Plan draft. The lack of such plans could end in tragedy.

It's incredible that during times of violent storms, rising sea levels, fires, and migrating populations, etc the Comp Plan doesn't mention Climate change as important. A 20-year plan should contain at least some statements of support encouraging appropriate research, committees, or regulations to deal with these changes. Supports Alternative 3 with the modifications made by the Planning Commission.

**0:41:24 - Lorah Super** - Isabelle and Jim raised an interesting question and I don't know the answer to it. Mr. Gregg asked if Unit A plan could be kept in place and while sub area updates are completed - Isabelle had similar concerns that revision of Sub Area Plan for the Methow isn't included in the Comp Plan. It doesn't tell us how or when that might happen. I'd like to flag that as something that has come up in this hearing - to be sure what is going to happen in the interim. MVCC and Futurewise submitted joint comments - Comp Plan still missing some pieces that would make it legally compliant. The edits in that letter do not propose changes in substance or policies, but make the plan clearer and help clarify intent to protect environment and resolve redundant or confusing policies. Moving ahead will bring the plan into legal compliance so things can proceed without delay. Citizen comments were pushed off to the side in favor of waiting for Sub Area planning, but there is nothing that tells us how or when those plans will proceed. Need also to let other parts of the county to adopt similar protections as the Methow has requested.

**END OF PUBLIC TESTIMONY**  
**PC DISCUSSION RE Comp Plan Recommendations**

**0:45:58** - PD - This concludes comments. Will the written comments have to stay open until December 10th? (*Issue brought up by Spohn re legal notice.*)

PP - No. This will conclude written and verbal comments to PD on comp plan.

PD Next step: where do we go from here? Any suggestions ? (laughter.). In all the time I've been deliberating in the comp plan, we never intended to have the Sub Area plans cease to exist. My understanding: they will be encouraged to update them. Unless I missed something, there is no wording at all for them to have to stop and then re-start.

PP - In the Comp Plan, it references the two Sub Areas and the plans that already have been adopted. They will continue and be referenced in Comp Plan. As updated, the updates will continue to be used as part of a planning tool, but in the comp plan we won't have to revise the Comp Plan each time we revise the Sub unit plans. The Mazama plan has already been adopted in the books and already is still being used and will still be in effect. Once the revision is adopted and comes to the PC and then is adopted by BOCC, it will then become part of Comp Plan. Have not been given direction because at the last public hearing, MVCC and others were adamant that we not adopt other regs until the Comp Plan has been adopted. So that's why we haven't gone back to meeting with the Sub Unit areas or putting advisory committees together, with the exception of the Mazama committee, but have not been given any instruction on creating other advisory committees until the Comp Plan has been fully adopted. We were told to concentrate on this, and if you recall that also put our CAO on the back burner.

DS - What may be other land uses you have in mind? You have Sub Unit A, and there has been talk about lower Methow.

PP - There has been talk about creating middle and lower Methow Sub Units. I did provide nay Hover with some suggested verbiage on qualifications and an advertisement for other Sub Unit areas. One that has already been designated by BOCC but is not active right now and has no appointed members. When we were asked to concentrate on Comp Plan, it got back burnered until Com Plan is adopted.

DS - My concern is that it has to be spelled out clearly. Sub Unit A was taxed and millions of dollars, and to have that swept aside is an issue for all those land owners. Some of you may understand it's a touchy subject because of the thousands of dollars the landowners have contributed to this program.

**0:52:00** - PP - The commissioners understand this too, - which is why they kept the 2 sub areas in tact and why they will do appointees and drafting and redrafting the plans. Could include other subunits further north or here in the valley.. This does not regulate anything - appointments, whether property owners or residents.

PP: County Code 2.64 - Establishes advisory committees.

PD - Whenever I've been on commission , we have always bent over backward to maintain those Sub Areas.

GT - Speaking to landowner restrictions in some parts of Comp Plan and other boards and agencies, I thought Isabelle's concerns were all well-taken, and I've brought it up myself much earlier. We are excluding more and more major portions of our population. For the very substantive reasons Isabelle gave, we are narrowing ourselves more and more . There are certain processes that apply - they should be sufficient. Property is important...but .....

PD - But that isn't in the Comp Plan. We've dealt with that in the past but we got sidetracked into this thing. I think it was a unanimous decision to change that, but we never had a chance to finish.

PP and I believe that when we get the Comp Plan adopted someday, and when we get into updating the codes that will support it, that is the time when we need to visit those current rules on the books and approach the BOCC who have the actual authority to appoint these people and have discussions.

VH - Comp Plan is just a guide. And the next step is where this all needs to come together. What they have said is well-heard, with a lot of respect. However, the Comp Plan is just a guide.

**0:55:58** - DS - The comp plan in itself, and I'm looking at George - we did a lot of word smithing as we went through this. A lot of that "We the People" has been changed by the attorneys. The attorneys don't have the feeling in the Comp Plan that we have. It becomes a legalistic fix, and I don't like that. It takes out the personality of our Comp Plan.

PD - (Whispering, "He's already had his chance. Do you want me to address that?")

PP - If you want to.

PD - We see that Dick Ewing is trying to comment again, but comments are closed. Sorry . We got all your written comments, and we appreciate what you have to say, but we can't take any more now.

## **END DATE FOR WRITTEN COMMENT ON COMP PLAN?**

**Dick Ewing** - Regarding keeping the comment period open until the 10th?

PP - The comment period for the DEIS is open until the 10th.

**Dick Ewing** -And how about the Comp Plan?

PP - That verbal and written comment was just closed here tonight at the hearing.

Ewing - Thank you.

PD - We just got a whole bunch of comments. But what I've seen as I thumbed through and got earlier and tonight they are pretty much the same ones we've been getting all along. And we've addressed them, and we are gonna, you know..... is this Comp Plan perfect? Of course not. It will never be.

PP - But it's a working document.

Female agreeing.

PD: One thing that makes me feel real good about the Comp Plan is that we only had 5 people comment. Go back in history when we had the 2014 Comp Plan, we had over 100. *(He's got the wrong hearing. This meeting was for the 2009 draft.)*. So to have this Comp Plan so close to adoptions... we have several comments, but they are pretty much h rehashing things. Some things need to be addressed, but that's up to the Commissioners. They will have to make those hard decisions. We are either going to have to upset the apple cart and dig into this with all these comments, or we trust our county commissioners to make the decisions that need to be made in their hearing. *(Sic. It will not be a hearing, but a meeting.)*

GT - If we were to pass it on tonight, the Commissioners then may or may not make substantial changes. If substantial changes, does it come back to us?

PP - Yes.. will have to go bak through the whole comment process if they change the policy. They can correct grammatical errors, etc.

PD - Yes. They can make minor changes like word smithing, etc.

PP - As long as they don't change the policy.

## **APPROVAL OF COMP PLAN DRAFT**

**1:00:39 SB** - I think our plan is pretty clear, I know. Some people don't think so. I think tIt's a long ways from what the other plan has been. I think that people who need to use it in the Planning Dept it's clear for them now. to set up zoning changes. In order to do that, we have to adopt a Comp Plan. In order to have Advisory Committees, we have to have a comp plan adopted. We are at the point where we have had most ?? We have morphed this into a much better Comp Plan that covers everything. No one here or on the phone or on the computer don't like it, but it's for

the whole county, not just individual people. I'd like to move that we approve this Comprehensive Plan as is and give it to the commissioners to adopt.

GT - Second.

PP - Discussion? Point of order - when we sent to the Commissioners last time, before they sent it back, what was the Alternative we supported?

PP - Alternative 3 - with changes.

GT - Morphed alternative 3 with 2. To SB - Are you still on this one?

SB - Yes.

VH - Suggest another motion with Alternatives.

SB - Alternative choice we made earlier this year.

PP - Second?

**Motion passes. Dave Schulz opposes this draft.**

DS - Votes against this draft. There are things - this board comes and goes, we'll have a new one, and unless we document all this, it will be lost. Still concerned about Sub Unit A and some other things. Also, I'm not ok with the Firewise stuff. I don't know if it will be done in Zoning or not. There are some things we didn't address. We put our own touch here, and then it was sent off and comes back like this - you can't even tell (*it was ours?*)

PD - Sure doesn't sound like the one we wrote. Would like to put into the record that we appreciate everyone's hard work and patience, and let's hope that this one is done.

PP/PD - Dec. 27th is the special meeting to go over the DEIS comments. At 6PM. Here, and on-line.

DS - Asks for an update on the Methow rep.

PP - 2 applications being considered. Would hope that by the next meeting we'll have a new appointment.

PD - This PC used to be 9 members. (*Gives an inaccurate history as to why people stopped coming to meetings and a quorum could not be reached, necessitating a reduction in number of members to 7.*) I'm glad people are at least interested in serving now.

**Adjourned at 7:05 PM**

